United Nations S/RES/1571 (2004)

Security Council

Distr.: General
4 November 2004

Resolution 1571 (2004)

Adopted by the Security Council at its 5070th meeting, on 4 November 2004

The Security Council,

Noting with regret the resignation of Judge Gilbert Guillaume, taking effect on 11 February 2005,

Noting further that a vacancy in the International Court of Justice for the remainder of the term of office of Judge Gilbert Guillaume will thus occur and must be filled in accordance with the terms of the Statute of the Court,

Noting that, in accordance with article 14 of the Statute, the date of the election to fill the vacancy shall be fixed by the Security Council,

Decides that the election to fill the vacancy shall take place on 15 February 2005 at a meeting of the Security Council and at a meeting of the General Assembly at its fifty-ninth session.

04-59199 (E)

United Nations S/RES/1572 (2004)

Security Council

Distr.: General
15 November 2004

Resolution 1572 (2004)

Adopted by the Security Council at its 5078th meeting, on 15 November 2004

The Security Council,

Recalling its resolution 1528 (2004) of 27 February 2004, as well as the relevant statements of its President, in particular those of 6 November 2004 (S/PRST/2004/42) and of 5 August 2004 (S/PRST/2004/29),

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and *recalling* the importance of the principles of good neighbourliness, non-interference and regional cooperation,

Recalling that it endorsed the agreement signed by the Ivoirian political forces in Linas-Marcoussis on 24 January 2003 (S/2003/99) (the Linas-Marcoussis Agreement) approved by the Conference of Heads of States on Côte d'Ivoire, held in Paris on 25 and 26 January 2003, and the Agreement signed in Accra on 30 July 2004 (Accra III Agreement),

Deploring the resumption of hostilities in Côte d'Ivoire and the repeated violations of the ceasefire agreement of 3 May 2003,

Deeply concerned by the humanitarian situation in Côte d'Ivoire, in particular in the northern part of the country, and by the use of the media, in particular radio and television broadcasts, to incite hatred and violence against foreigners in Côte d'Ivoire,

Recalling strongly the obligations of all Ivoirian parties, the Government of Côte d'Ivoire as well as the Forces Nouvelles, to refrain from any violence against civilians, including against foreign citizens, and to cooperate fully with the activities of the United Nations Operation in Côte d'Ivoire (UNOCI),

Welcoming the ongoing efforts of the Secretary-General, the African Union and the Economic Community of Western African States (ECOWAS) towards re-establishing peace and stability in Côte d'Ivoire,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Condemns* the air strikes committed by the national armed forces of Côte d'Ivoire (FANCI) which constitute flagrant violations of the ceasefire agreement of 3 May 2003 and *demands* that all Ivoirian parties to the conflict, the Government of Côte d'Ivoire as well as Forces nouvelles, fully comply with the ceasefire;

2. *Reiterates* its full support for the action undertaken by UNOCI and French forces in accordance with their mandate under resolution 1528 (2004) and with the statement of its President of 6 November 2004 (S/PRST/2004/42);

3. *Emphasizes* again that there can be no military solution to the crisis and that the full implementation of the Linas-Marcoussis and Accra III Agreements remains the only way to resolve the crisis persisting in the country;

4. *Urges* as a consequence the President of the Republic of Côte d'Ivoire, the heads of all the Ivoirian political parties and the leaders of the Forces Nouvelles immediately to begin resolutely implementing all the commitments they have made under these agreements;

5. *Expresses* its full support for the efforts of the Secretary-General, the African Union and ECOWAS and *encourages* them to continue these efforts in order to relaunch the peace process in Côte d'Ivoire;

6. *Demands* that the Ivoirian authorities stop all radio and television broadcasting inciting hatred, intolerance and violence, *requests* UNOCI to strengthen its monitoring role in this regard, and *urges* the Government of Côte d'Ivoire and the Forces nouvelles to take all necessary measures to ensure the security and the safety of civilian persons, including foreign nationals and their property;

7. *Decides* that all States shall, for a period of thirteen months from the date of adoption of this resolution, take the necessary measures to prevent the direct or indirect supply, sale or transfer to Côte d'Ivoire, from their territories or by their nationals, or using their flag vessels or aircraft, of arms or any related materiel, in particular military aircraft and equipment, whether or not originating in their territories, as well as the provision of any assistance, advice or training related to military activities;

8. *Decides* that the measures imposed by paragraph 7 above shall not apply to:

(a) supplies and technical assistance intended solely for the support of or use by UNOCI and the French forces who support them,

(b) supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance and training, as approved in advance by the Committee established by paragraph 14 below,

(c) supplies of protective clothing, including flak jackets and military helmets, temporarily exported to Côte d'Ivoire by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only,

(d) supplies temporarily exported to Côte d'Ivoire to the forces of a State which is taking action, in accordance with international law, solely and directly to facilitate the evacuation of its nationals and those for whom it has consular

responsibility in Côte d'Ivoire, as notified in advance to the Committee established by paragraph 14 below,

(e) supplies of arms and related materiel and technical training and assistance intended solely for support of or use in the process of restructuring defence and security forces pursuant to paragraph 3, subparagraph (f) of the Linas-Marcoussis Agreement, as approved in advance by the Committee established by paragraph 14 below;

9. *Decides* that all States shall take the necessary measures, for a period of twelve months, to prevent the entry into or transit through their territories of all persons designated by the Committee established by paragraph 14 below, who constitute a threat to the peace and national reconciliation process in Côte d'Ivoire, in particular those who block the implementation of the Linas-Marcoussis and Accra III Agreements, any other person determined as responsible for serious violations of human rights and international humanitarian law in Côte d'Ivoire on the basis of relevant information, any other person who incites publicly hatred and violence, and any other person determined by the Committee to be in violation of measures imposed by paragraph 7 above, provided that nothing in this paragraph shall oblige a State to refuse entry into its territory to its own nationals;

10. *Decides* that the measures imposed by paragraph 9 shall not apply where the Committee established by paragraph 14 below determines that such travel is justified on the grounds of humanitarian need, including religious obligation, or where the Committee concludes that an exemption would further the objectives of the Council's resolutions, for peace and national reconciliation in Côte d'Ivoire and stability in the region;

11. *Decides* that all States shall, for the same period of twelve months, freeze immediately the funds, other financial assets and economic resources which are on their territories at the date of adoption of this resolution or at any time thereafter, owned or controlled directly or indirectly by the persons designated pursuant to paragraph 9 above by the Committee established by paragraph 14 below, or that are held by entities owned or controlled directly or indirectly by any persons acting on their behalf or at their direction, as designated by the Committee, and *decides further* that all States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any persons within their territories, to or for the benefit of such persons or entities;

12. *Decides* that the provisions of paragraph 11 do not apply to funds, other financial assets and economic resources that:

(a) have been determined by relevant States to be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges, or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant States to the Committee established by paragraph 14 below of the intention to authorize, where appropriate, access to such funds, other financial assets and economic resources and in the absence of a negative decision by the Committee within two working days of such notification,

(b) have been determined by relevant States to be necessary for extraordinary expenses, provided that such determination has been notified by the relevant States to the Committee and has been approved by the Committee, or

(c) have been determined by relevant States to be subject of a judicial, administrative or arbitral lien or judgement, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgement provided that the lien or judgement: was entered prior to the date of the present resolution, is not for the benefit of a person referred to in paragraph 11 above or an individual or entity identified by the Committee, and has been notified by the relevant States to the Committee;

13. *Decides* that, at the end of a period of 13 months from the date of adoption of this resolution, the Security Council shall review the measures imposed by paragraphs 7, 9 and 11 above, in the light of progress accomplished in the peace and national reconciliation process in Côte d'Ivoire as defined by the Linas-Marcoussis and Accra III Agreements, and expresses its readiness to consider the modification or termination of these measures before the aforesaid period of 13 months only if the Linas-Marcoussis and Accra III Agreements have been fully implemented;

14. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council (the Committee), to undertake the following tasks:

(a) to designate the individuals and entities subject to the measures imposed by paragraphs 9 and 11 above, and to update this list regularly,

(b) to seek from all States concerned, and particularly those in the region, information regarding the actions taken by them to implement the measures imposed by paragraphs 7, 9 and 11 above, and whatever further information it may consider useful, including by providing them with an opportunity to send representatives to meet the Committee to discuss in more detail any relevant issues,

(c) to consider and decide upon requests for the exemptions set out in paragraphs 8, 10 and 12 above,

(d) to make relevant information publicly available through appropriate media, including the list of persons referred to in subparagraph (a) above,

(e) to promulgate guidelines as may be necessary to facilitate the implementation of the measures imposed by paragraphs 11 and 12 above,

(f) to present regular reports to the Council on its work, with its observations and recommendations, in particular on ways to strengthen the effectiveness of the measures imposed by paragraphs 7, 9 and 11 above;

15. ***Requests*** all States concerned, in particular those in the region, to report to the Committee, within ninety days from the date of adoption of this resolution, on the actions they have taken to implement the measures imposed by paragraphs 7, 9 and 11 above, and ***authorizes*** the Committee to request whatever further information it may consider necessary;

16. ***Urges*** all States, relevant United Nations bodies and, as appropriate, other organizations and interested parties, to cooperate fully with the Committee, in

particular by supplying any information at their disposal on possible violations of the measures imposed by paragraphs 7, 9 and 11 above;

17. *Expresses its determination* to consider without delay further steps to ensure the effective monitoring and implementation of the measures imposed by paragraphs 7, 9 and 11 above, in particular the establishment of a panel of experts;

18. *Requests* the Secretary-General to submit a report to the Council by 15 March 2005, drawing on information from all relevant sources, including the Government of National Reconciliation in Côte d'Ivoire, UNOCI, ECOWAS and the African Union, on progress made towards the goals described in paragraph 13 above;

19. *Decides* that the measures imposed by paragraphs 9 and 11 above shall enter into force on 15 December 2004, unless the Security Council shall determine before then that the signatories of the Linas-Marcoussis and Accra III Agreements have implemented all their commitments under the Accra III Agreement and are embarked towards full implementation of the Linas-Marcoussis Agreement;

20. *Decides* to remain actively seized of the matter.

United Nations S/RES/1573 (2004)

Security Council

Distr.: General
16 November 2004

Resolution 1573 (2004)

Adopted by the Security Council at its 5079th meeting, on 16 November 2004

The Security Council,

Reaffirming its previous resolutions on the situation in Timor-Leste, in particular resolutions 1410 (2002) of 17 May 2002, 1473 (2003) of 4 April 2003, 1480 (2003) of 19 May 2003 and 1543 (2004) of 14 May 2004,

Commending the people and the Government of Timor-Leste for the peace and stability they have achieved in the country, as well as for their continuing efforts towards consolidating democracy and building state institutions,

Further commending the United Nations Mission of Support in Timor-Leste (UNMISET), under the leadership of the Secretary-General's Special Representative, and welcoming the continuing progress made towards the accomplishment of key tasks inscribed in its mandate, particularly during its consolidation phase, in accordance with Security Council resolution 1543 (2004),

Paying tribute to Timor-Leste's bilateral and multilateral partners for their invaluable assistance, particularly with regards to institutional capacity building and social and economic development,

Noting that, despite notable advances achieved in the last months, Timor-Leste has not yet reached the critical threshold of self-sufficiency, mainly in key areas such as public administration, law enforcement and security,

Welcoming the strengthening of cooperation and good relations between Timor-Leste and its neighbours and *encouraging* further progress towards concrete agreements on border delineation and other pending issues,

Commending the Serious Crimes Unit for the efforts it has undertaken in order to complete its investigations by November 2004, and any further trials and other activities no later than 20 May 2005,

Noting with concern that it may not be possible for the Serious Crimes Unit to fully respond to the desire for justice of those affected by the violence in 1999 bearing in mind the limited time and resources that remain available,

04-60929 (E)

Taking note of the special report of the Secretary General on UNMISET of 29 April 2004 (S/2004/333) as well as of 19 November 2004 (S/2004/888), and welcoming his recommendations contained therein,

Remaining fully committed to the promotion of security and long lasting stability in Timor-Leste,

1. *Decides* to extend the mandate of UNMISET for a final period of 6 months until 20 May 2005;

2. *Decides* also to maintain UNMISET's current tasks, configuration and size in order to allow the mission to complete key tasks of its mandate and consolidate gains made thus far;

3. *Requests* UNMISET to focus increasingly on implementing its exit strategy, particularly with a view to ensure increasing involvement and ownership of the Timorese in the mission's three programme areas, so that, when it departs Timor-Leste, its responsibilities can be taken over by the Timorese, with the continued assistance of the United Nations system and bilateral and multilateral partners;

4. *Urges* the donor community to continue providing its indispensable assistance to Timor-Leste, including through active participation in the donor's conference scheduled to be held in March 2005;

5. *Urges*, in particular, United Nations development and humanitarian agencies and multilateral financial institutions to start immediately planning for a smooth transition in Timor-Leste, from a peacekeeping operation to a sustainable development assistance framework;

6. *Reaffirms* the need to fight against impunity and, in this regard, *takes note of* the Secretary-General's intention to continue to explore possible ways to address this issue with a view to making proposals as appropriate;

7. *Requests* the Secretary-General to keep the Security Council closely and regularly informed of developments on the ground and of the implementation of the present resolution, in particular of paragraphs 3 and 5 above, and in that regard, *requests* the Secretary-General to submit a report within three months of the date of adoption of the present resolution, followed by a final report in May 2005;

8. *Decides* to remain actively seized of the matter.

United Nations S/RES/1574 (2004)

Security Council

Distr.: General
19 November 2004

Resolution 1574 (2004)

Adopted by the Security Council at its 5082nd meeting, on 19 November 2004 in Nairobi

The Security Council,

Recalling its resolutions 1547 (2004) of 11 June 2004, 1556 (2004) of 30 July 2004 and 1564 (2004) of 18 September 2004 and the statements of its President concerning Sudan,

Reaffirming its commitment to the sovereignty, unity, independence and territorial integrity of Sudan, and *recalling* the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Reaffirming also its support for the Machakos Protocol of 20 July 2002 and subsequent agreements based on this protocol,

Expressing its determination to help the people of Sudan to promote national reconciliation, lasting peace and stability, and to build a prosperous and united Sudan in which human rights are respected and the protection of all citizens is assured,

Recalling that it welcomed the signature of the Declaration on 5 June 2004 in Nairobi, Kenya, in which the parties confirmed their agreement to the six protocols signed between the Government of Sudan and the Sudan People's Liberation Movement/Army, and reconfirmed their commitment to completing the remaining stages of negotiations,

Commending again the work and continued support of the Intergovernmental Authority on Development (IGAD), in particular the Government of Kenya as Chair of the Sub-Committee on Sudan, in facilitating the peace talks in Nairobi, *recognizing* the efforts of the Civilian Protection Monitoring Team, the Joint Military Commission in the Nuba Mountains and the Verification and Monitoring Team supporting the peace process, and *expressing* its hope that IGAD will continue to play a vital role during the transitional period,

Encouraging the parties to conclude speedily a Comprehensive Peace Agreement, and stressing the need for the international community, once such an agreement has been signed and implementation begins, to provide assistance towards its implementation,

04-61689 (E)

Emphasizing that progress towards resolution of the conflict in Darfur would create conditions conducive for delivery of such assistance,

Expressing its serious concern at the growing insecurity and violence in Darfur, the dire humanitarian situation, continued violations of human rights and repeated breaches of the ceasefire, and *reiterating* in this regard the obligation of all parties to implement the commitments, referred to in its previous resolutions on Sudan,

Condemning all acts of violence and violations of human rights and international humanitarian law by all parties, and *emphasizing* the need for perpetrators of all such crimes to be brought to justice without delay,

Recalling in this regard that all parties, including the Sudanese rebel groups such as the Justice and Equality Movement and the Sudanese Liberation Army, must respect human rights and international humanitarian law, and *also recalling* the primary responsibility of the Sudanese Government to protect its population within its territory and to maintain law and order, while respecting human rights,

Stressing the importance of further progress towards resolving the crisis in Darfur, *welcoming* the vital and wide-ranging role being played by the African Union towards that end, and *welcoming* the Government of Sudan's decision in favour of the expansion of the African Union Mission,

Taking note of the Secretary-General's reports of 28 September 2004 (S/2004/763) and 2 November 2004 (S/2004/881),

Deeply concerned by the situation in Sudan and its implications for international peace and security and stability in the region,

1. *Declares* its strong support for the efforts of the Government of Sudan and the Sudan People's Liberation Movement/Army to reach a Comprehensive Peace Agreement, *encourages* the parties to redouble their efforts, *welcomes* the signing of the Memorandum of Understanding in Nairobi on 19 November 2004 entitled "Declaration on the conclusion of IGAD negotiations on peace in the Sudan", attached to this resolution, and the agreement that the six protocols referred to in the Nairobi Declaration of 5 June 2004 constitute and form the core Peace Agreement, and *strongly endorses* the parties' commitment to reach a final comprehensive agreement by 31 December 2004 and *expects* that it will be fully and transparently implemented, with the appropriate international monitoring;

2. *Declares* its commitment, upon conclusion of a Comprehensive Peace Agreement, to assist the people of Sudan in their efforts to establish a peaceful, united and prosperous nation, on the understanding that the parties are fulfilling all their commitments, including those agreed in Abuja, Nigeria and Ndjamena, Chad;

3. *Urges* the Joint Assessment Mission of the United Nations, the World Bank and the parties, in association with other bilateral and multilateral donors, to continue their efforts to prepare for the rapid delivery of an assistance package for the reconstruction and economic development of Sudan, including official development assistance, possible debt relief and trade access, to be implemented once a Comprehensive Peace Agreement has been signed and its implementation begins;

4. *Welcomes* the initiative of the Government of Norway to convene an international donors' conference for the reconstruction and economic development of Sudan upon the signing of a Comprehensive Peace Agreement;

5. *Welcomes* the continued operations of the Joint Military Commission, the Civilian Protection Monitoring Team, and the Verification and Monitoring Team, in anticipation of the implementation of a Comprehensive Peace Agreement and the establishment of a United Nations peace support operation;

6. *Reiterates* its readiness, upon the signature of a Comprehensive Peace Agreement, to consider establishing a United Nations peace support operation to support the implementation of that agreement, and *reiterates* its request to the Secretary-General to submit to the Council, as soon as possible after the signing of a Comprehensive Peace Agreement, recommendations for the size, structure, mandate of such an operation, including also a timetable for its deployment;

7. *Welcomes* the preparatory work already carried out by the United Nations Advance Mission in Sudan (UNAMIS), established by its resolution 1547 (2004), *endorses* the proposals in the Secretary-General's reports of 28 September 2004 and 2 November 2004 to increase its staffing, *extends* the mandate of UNAMIS by a further three months until 10 March 2005, and *calls on* the Sudan People's Liberation Movement/Army to commit to full cooperation with UNAMIS,

8. *Calls on* all countries in the region to do their utmost to support actively the full and timely implementation of a Comprehensive Peace Agreement;

9. *Emphasizes* that a Comprehensive Peace Agreement will contribute towards sustainable peace and stability throughout Sudan and to the efforts to address the crisis in Darfur, and *underlines* the need for a national and inclusive approach, including the role of women, towards reconciliation and peace-building;

10. *Underlines* the importance of progress in peace talks in Abuja between the Government of Sudan and the Sudanese Liberation Army and the Justice and Equality Movement towards resolving the crisis in Darfur, *insists* that all parties to the Abuja peace talks negotiate in good faith to reach agreement speedily, *welcomes* the signature of the Humanitarian and Security Protocols on 9 November 2004, *urges* the parties to implement these rapidly, and looks forward to the early signature of a Declaration of Principles with a view to a political settlement;

11. *Demands* that Government and rebel forces and all other armed groups immediately cease all violence and attacks, including abduction, refrain from forcible relocation of civilians, cooperate with international humanitarian relief and monitoring efforts, ensure that their members comply with international humanitarian law, facilitate the safety and security of humanitarian staff, and reinforce throughout their ranks their agreements to allow unhindered access and passage by humanitarian agencies and those in their employ, in accordance with its resolution 1502 (2003) of 26 August 2003 on the access of humanitarian workers to populations in need and with the Abuja Protocols of 9 November 2004;

12. In accordance with its previous resolutions on Sudan, *decides* to monitor compliance by the parties with their obligations in that regard and, subject to a further decision of the Council, to take appropriate action against any party failing to fulfil its commitments;

13. *Strongly supports* the decisions of the African Union to increase its mission in Darfur to 3,320 personnel and to enhance its mandate to include the tasks listed in paragraph 6 of the African Union Peace and Security Council's Communiqué of 20 October 2004, *urges* Member States to provide the required equipment, logistical, financial, material, and other necessary resources, and *urges* the Government of Sudan and all rebel groups in Darfur to cooperate fully with the African Union;

14. *Reiterates* its call on Member States to provide urgent and generous contributions to the humanitarian efforts under way in Sudan and Chad;

15. *Calls on* all parties to cooperate fully with the International Commission of Inquiry established by the Secretary-General, as described in his letter of 4 October 2004 to the President of the Security Council (S/2004/812), the outcome of which will be communicated to the Security Council;

16. *Reiterates* the importance of deploying more human rights monitors to Darfur;

17. *Requests* the Secretary-General to keep it regularly informed of developments in Sudan, and to make any recommendations for action to ensure implementation of this resolution and its previous resolutions on Sudan;

18. *Decides* to remain seized of the matter.

Annex

DECLARATION ON THE CONCLUSION OF IGAD NEGOTIATIONS ON PEACE IN THE SUDAN

Gigiri, Nairobi: ***Friday 19th November 2004***

WHEREAS the Government of the Republic of the Sudan and the Sudan People's Liberation Movement/Army (the Parties) reconfirmed in the Nairobi Declaration of 5th June, 2004 on the Final Phase of the IGAD led negotiations on Peace in the Sudan, their agreement on the six texts, including the Machakos Protocol as well as the texts relating to Power Sharing, Wealth Sharing, Security Arrangements, and resolution of the Conflict in Southern Kordofan/Nuba Mountains, Blue Nile, and Abyei Area;

WHEREAS the Parties in a Joint Press Statement on October 16, 2004, "recommitted themselves to finalize and conclude the Comprehensive Peace Agreement in recognition that prompt completion of the Peace Process is essential for all the people of the Sudan as it will help in resolving all challenges facing the country";

ACKNOWLEDGING the progress made to date on the Security Arrangements and Ceasefire Details including the extensive work that has been accomplished in the Implementation Modalities annexes; and

DECLARING that the conclusion of the IGAD led initiative is central to a comprehensive Peace Agreement in the Sudan including the resolution of the Conflict in Darfur;

NOW HEREBY THE PARTIES AFFIRM that the six Protocols referred to in the Nairobi Declaration of 5th June, 2004, constitute and form the core Peace Agreement and therefore invite the UN Security Council in this its Nairobi sitting to pass a resolution endorsing the six Protocols.

FURTHER the Parties declare their commitment to expeditiously complete Negotiations on the two annexes on Ceasefire Agreement and Implementation Modalities so as to conclude and sign the Comprehensive Peace Agreement no later than 31st December, 2004.

(*Signed*)

Hon. Yahya Hussein Babikar
For the Government
Of the Republic of the Sudan

(*Signed*)

Cdr. Nhial Deng Nhial
For the Sudan People's
Liberation Movement/Army

Witnessed By:

(*Signed*)

Lt. Gen. Lazaro K. Sumbeiywo (Rtd.)
On Behalf of the IGAD Envoys

(*Signed*)

Dr. Jan Pronk
Special Representative of the Secretary-General
of the United Nations

In the Presence of:
The United Nations Security Council.

(*Signed*)

Ambassador Abdallah Baali
Permanent Representative of Algeria
to the United Nations

(*Signed*)

Ambassador Ismael Gaspar Martins
Permanent Representative of Angola
to the United Nations

(*Signed*)

Ambassador Joel Adechi
Permanent Representative of Benin
to the United Nations

(*Signed*)

Ambassador Ronaldo Sardenberg
Permanent Representative of Brazil
to the United Nations

(*Signed*)

Ambassador Heraldo Muñoz
Permanent Representative of Chile
to the United Nations

(*Signed*)

Ambassador Wang Guangya
Permanent Representative of China
to the United Nations

(*Signed*)

Ambassador Jean-Marc de La Sablière
Permanent Representative of France
to the United Nations

(*Signed*)

Ambassador Gunter Pleuger
Permanent Representative of Germany
to the United Nations

(*Signed*)

Ambassador Munir Akram
Permanent Representative of Pakistan
to the United Nations

(*Signed*)

Ambassador Lauro Baja, Jr.
Permanent Representative of the Philippines
to the United Nations

(*Signed*)

Ambassador Mihnea Motoc
Permanent Representative of Romania
to the United Nations

(*Signed*)

Ambassador Andrey Denisov
Permanent Representative of the Russian Federation
to the United Nations

(*Signed*)

Ambassador Juan Antonio Yáñez-Barnuevo
Permanent Representative of Spain
to the United Nations

(*Signed*)

Ambassador Emyr Jones Parry
Permanent Representative of the United Kingdom
to the United Nations

(*Signed*)

Ambassador John Danforth
Permanent Representative of the United States
to the United Nations

S/RES/1575 (2004)

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United Nations S/RES/1575 (2004)

Security Council

Distr.: General
22 November 2004

Resolution 1575 (2004)

Adopted by the Security Council at its 5085th meeting, on 22 November 2004

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia and relevant statements of its President, including resolutions 1031 (1995) of 15 December 1995, 1088 (1996) of 12 December 1996, 1423 (2002) of 12 July 2002, 1491 (2003) of 11 July 2003 and 1551 (2004) of 9 July 2004,

Reaffirming its commitment to the political settlement of the conflicts in the former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Emphasizing its full support for the High Representative's continued role in Bosnia and Herzegovina,

Underlining its commitment to support the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the Annexes thereto (collectively the Peace Agreement, S/1995/999, annex), as well as the relevant decisions of the Peace Implementation Council (PIC),

Recalling all the agreements concerning the status of forces referred to in Appendix B to Annex 1-A of the Peace Agreement, and reminding the parties of their obligation to continue to comply therewith,

Further recalling the provisions of its resolution 1551 (2004) concerning the provisional application of the status of forces agreements contained in Appendix B to Annex 1-A of the Peace Agreement,

Emphasizing its appreciation to the High Representative, the Commander and personnel of the multinational stabilization force (SFOR), the Organization for Security and Cooperation in Europe (OSCE), the European Union (EU) and the personnel of other international organizations and agencies in Bosnia and Herzegovina for their contributions to the implementation of the Peace Agreement,

Emphasizing that a comprehensive and coordinated return of refugees and displaced persons throughout the region continues to be crucial to lasting peace,

Recalling the declarations of the Ministerial meetings of the Peace Implementation Conference,

Noting the reports of the High Representative, including his latest report of 6 October 2004 (S/2004/807),

Determined to promote the peaceful resolution of the conflicts in accordance with the purposes and principles of the Charter of the United Nations,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel adopted on 9 December 1994 and the statement of its President of 10 February 2000 (S/PRST/2000/4),

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Recalling the decisions set out in paragraph 8 of the communiqué of the NATO Istanbul Summit of 28 June 2004, which refers to NATO's intention to conclude the SFOR operation in Bosnia and Herzegovina by the end of 2004 and to establish a NATO Headquarters in Sarajevo that will constitute NATO's residual military presence,

Recalling further that resolution 1551 (2004) took note of the European Union's intention to launch an EU mission to Bosnia and Herzegovina, including a military component, from December 2004, under the terms set out in the letter of 29 June 2004 from the Minister of Foreign Affairs of Ireland and President of the Council of the European Union to the President of the Security Council (S/2004/522*/Annex),

Taking note of the letters between the European Union and NATO sent to the Security Council on 19 November 2004 on how those organizations will cooperate together in Bosnia and Herzegovina in which both organizations recognize that the EUFOR will have the main peace stabilization role under the military aspects of the Peace Agreement (S/2004/916; S/2004/915),

Further taking note of the confirmation by the Presidency of Bosnia and Herzegovina, on behalf of Bosnia and Herzegovina, including its constituent entities, of the arrangements for EUFOR and the NATO Headquarters presence (S/2004/917),

Welcoming in the light of the forthcoming EU Mission the European Union's increasing engagement in Bosnia and Herzegovina,

Further welcoming tangible signs of Bosnia and Herzegovina's progress towards European integration,

Determining that the situation in the region continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

I

1. *Reaffirms* once again its support for the Peace Agreement, as well as for the Dayton Agreement on implementing the Federation of Bosnia and Herzegovina of 10 November 1995 (S/1995/1021, annex) and *calls upon* the parties to comply strictly with their obligations under those Agreements;

2. *Reiterates* that the primary responsibility for the further successful implementation of the Peace Agreement lies with the authorities in Bosnia and

Herzegovina themselves and that the continued willingness of the international community and major donors to assume the political, military and economic burden of implementation and reconstruction efforts will be determined by the compliance and active participation by all the authorities in Bosnia and Herzegovina in implementing the Peace Agreement and rebuilding a civil society, in particular in full cooperation with the International Tribunal for the Former Yugoslavia, in strengthening joint institutions, which foster the building of a fully functioning self-sustaining state, able to integrate itself into the European structures and in facilitating returns of refugees and displaced persons;

3. *Reminds* the parties once again that, in accordance with the Peace Agreement, they have committed themselves to cooperate fully with all entities involved in the implementation of this peace settlement, as described in the Peace Agreement, or which are otherwise authorized by the Security Council, including the International Tribunal for the Former Yugoslavia, as it carries out its responsibilities for dispensing justice impartially, and *underlines* that full cooperation by States and entities with the International Tribunal includes, inter alia, the surrender for trial of all persons indicted by the Tribunal and provision of information to assist in Tribunal investigations;

4. *Emphasizes* its full support for the continued role of the High Representative in monitoring the implementation of the Peace Agreement and giving guidance to and coordinating the activities of the civilian organizations and agencies involved in assisting the parties to implement the Peace Agreement, and *reaffirms* that under Annex 10 of the Peace Agreement the High Representative is the final authority in theatre regarding the interpretation of civilian implementation of the Peace Agreement and that in case of dispute he may give his interpretation and make recommendations, and make binding decisions as he judges necessary on issues as elaborated by the Peace Implementation Council in Bonn on 9 and 10 December 1997;

5. *Expresses* its support for the declarations of the Ministerial meetings of the Peace Implementation Conference;

6. *Reaffirms* its intention to keep implementation of the Peace Agreement and the situation in Bosnia and Herzegovina under close review, taking into account the reports submitted pursuant to paragraphs 18 and 21 below, and any recommendations those reports might include, and its readiness to consider the imposition of measures if any party fails significantly to meet its obligations under the Peace Agreement;

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7. *Acknowledges* the support of the authorities of Bosnia and Herzegovina for the EU force and the continued NATO presence and their confirmation that both are the legal successors to SFOR for the fulfilment of their missions for the purposes of the Peace Agreement, its Annexes and Appendices and relevant United Nations Security Council resolutions and can take such actions as are required, including the use of force, to ensure compliance with Annexes 1-A and 2 of the Peace Agreement and relevant United Nations Security Council resolutions;

8. *Pays tribute* to those Member States which participated in the multinational stabilization force established in accordance with its resolution 1088 (1996), and expresses its appreciation of their efforts and achievements in Bosnia and Herzegovina;

9. *Welcomes* the EU's intention to launch an EU military operation to Bosnia and Herzegovina from December 2004;

10. *Authorizes* the Member States acting through or in cooperation with the EU to establish for an initial planned period of 12 months a multinational stabilization force (EUFOR) as a legal successor to SFOR under unified command and control, which will fulfil its missions in relation to the implementation of Annex 1-A and Annex 2 of the Peace Agreement in cooperation with the NATO HQ presence in accordance with the arrangements agreed between NATO and the EU as communicated to the Security Council in their letters of 19 November 2004, which recognize that the EUFOR will have the main peace stabilization role under the military aspects of the Peace Agreement;

11. *Welcomes* the decision of NATO to conclude the SFOR operation in Bosnia and Herzegovina by the end of 2004 and to maintain a presence in Bosnia and Herzegovina through the establishment of a NATO Headquarters in order to continue to assist in implementing the Peace Agreement in conjunction with EUFOR and *authorizes* the Member States acting through or in cooperation with NATO to establish a NATO Headquarters as a legal successor to SFOR under unified command and control, which will fulfil its missions in relation to the implementation of Annex 1-A and Annex 2 of the Peace Agreement in cooperation with EUFOR in accordance with the arrangements agreed between NATO and the EU as communicated to the Security Council in their letters of 19 November 2004, which recognize that the EUFOR will have the main peace stabilization role under the military aspects of the Peace Agreement;

12. *Recognizes* that the Peace Agreement and the provisions of its previous relevant resolutions shall apply to and in respect of both EUFOR and the NATO presence as they have applied to and in respect of SFOR and that therefore references in the Peace Agreement, in particular in Annex 1-A and its appendices, and relevant resolutions to IFOR and/or SFOR, NATO and the NAC shall henceforth be read as applying, as appropriate, to the NATO presence, EUFOR, the European Union and the Political and Security Committee and Council of the European Union respectively;

13. *Expresses* its intention to consider the terms of further authorization as necessary in the light of developments in the implementation of the Peace Agreement and the situation in Bosnia and Herzegovina;

14. *Authorizes* the Member States acting under paragraphs 10 and 11 above to take all necessary measures to effect the implementation of and to ensure compliance with Annexes 1-A and 2 of the Peace Agreement, *stresses* that the parties shall continue to be held equally responsible for compliance with that Annex and shall be equally subject to such enforcement action by EUFOR and the NATO presence as may be necessary to ensure implementation of those Annexes and the protection of EUFOR and the NATO presence;

15. *Authorizes* Member States to take all necessary measures, at the request of either EUFOR or the NATO Headquarters, in defence of EUFOR or NATO presence respectively, and to assist both organizations in carrying out their missions, and *recognizes* the right of both EUFOR and the NATO presence to take all necessary measures to defend themselves from attack or threat of attack;

16. *Authorizes* the Member States acting under paragraphs 10 and 11 above, in accordance with Annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

17. *Demands* that the parties respect the security and freedom of movement of EUFOR, the NATO presence, and other international personnel;

18. *Requests* the Member States acting through or in cooperation with the EU and the Member States acting through or in cooperation with NATO to report to the Council on the activity of EUFOR and NATO HQ presence respectively, through the appropriate channels and at least at three-monthly intervals;

19. *Invites* all States, in particular those in the region, to continue to *provide* appropriate support and facilities, including transit facilities, for the Member States acting under paragraphs 10 and 11 above;

20. *Reiterates its appreciation for* the deployment by the EU of its Police Mission (EUPM) to Bosnia and Herzegovina since 1 January 2003;

21. *Also requests* the Secretary-General to continue to submit to the Council reports from the High Representative, in accordance with Annex 10 of the Peace Agreement and the conclusions of the Peace Implementation Conference held in London on 4 and 5 December 1996 (S/1996/1012), and later Peace Implementation Conferences, on the implementation of the Peace Agreement and in particular on compliance by the parties with their commitments under that Agreement;

22. *Decides* to remain seized of the matter.